

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 23558-0017

Applicant(s): James Langham DALE *et al.*

Confirmation No.: 4029

App. No.: 10/521,571

Group Art Unit: 1638

Filing Date: May 16, 2005

Examiner: C. Worley

Title: TRANSCRIPTIONAL CONTROL ELEMENT, CHIMERIC CONSTRUCTS  
AND USES THEREFOR

**AMENDMENTS AND RESPONSE TO RESTRICTION REQUIREMENT**

United States Patent and Trademark Office  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Office Action mailed July 27, 2007 (Paper No. 411), applicant hereby elects the claims of Group III (claims 1, 70-77, 87-89, 93-108, 78-80 (in part), and 90-92 (in part)), which recite SEQ ID NO: 8, as set forth by the examiner. Applicant, of course, reserves the right to file one or more divisional applications covering the subject matter of the non-elected claims.

Applicant petitions for a five-month extension of time, as well as any other needed extension, and provides the requisite fee herewith. Please debit any underpayments, or credit any overpayments, to firm deposit account no. 50-3840.